

PLANNING DEPARTMENT  
County of Hawaii  
Hilo, Hawaii

APPLICATION FOR ADMINISTRATIVE VARIANCE )  
by )  
OSSIPOFF, SNYDER, ROWLAND, ) ADMINISTRATIVE  
GOETZ, ARCHITECTS ) VARIANCE NO. 33  
from )  
MINIMUM LOT SIZE REQUIREMENT FOR MUSEUM )  
AND PARKING REQUIREMENT )  
in )  
PUNAHOA 2ND, SOUTH HILO, HAWAII )

ADMINISTRATIVE VARIANCE PERMIT

An administrative public hearing was held by the Planning Director of the County of Hawaii Planning Department on September 18, 1980, on the application of OSSIPOFF, SNYDER, ROWLAND, GOETZ, ARCHITECTS for a variance from the minimum lot size requirement for museum and parking requirement, more specifically, to allow an addition to the Lyman House Memorial Museum on a 31,246 square foot sized lot in lieu of the minimum building site area requirement of one (1) acre, and to waive five (5) additional parking stalls required for the proposed addition at Punahoa 2nd, South Hilo, Hawaii, Tax Map Key 2-3-16:24.

After hearing the case, the Planning Director has found:

1. That there are special and unusual circumstances applying to the use of the subject property which do not generally apply to surrounding property or improvements in the same district. The use of the subject property, as a museum has been established for many years. The proposed addition is necessary to accommodate resource material which requires air conditioned, dehumidified space. The present structures on the property cannot handle the increasing volume of resource material which are being donated to the museum.

The proposed addition is not anticipated to increase the number of visitors which come to the museum. Two of the three floors in the proposed addition will be used as storage space. One floor will be used for museum exhibits, but this will just be an expansion of what is already available. The parking requirement has been established to ensure that adequate parking is available to accommodate the uses being proposed for any structure. In this particular situation the proposed addition will not increase the demand for parking as no additional employees will be hired as a result of the addition and no increase in the number of visitors is anticipated.

2. That should the subject zoning code requirements be rigidly imposed the above-described special and unusual circumstances exist to a degree which interferes with the best use of the subject property. There is adequate space

on the subject property for the proposed addition. If the variance request is denied, the museum would not be able to accept any more gifts of historic resource material unless a suitable storage area is found on another parcel. Even if a suitable off-site storage building is found the spatial separation would cause unnecessary hardship for the operation of the museum.

Although there is space on the subject property to provide the five additional parking stalls required, this could not be done without removing an existing structure. The structure in question serves as a residence for a blind couple who have lived there for ten years. The removal of the dwelling and the eviction of the blind couple would cause an unnecessary hardship since the proposed addition will not increase the demand for parking. Furthermore, as a condition of approval, the owners will be required to provide five additional parking stalls when the blind couple (the Chong's) vacate the residence on the property.

3. That the granting of the variance will not constitute a grant of personal or special privilege inconsistent with the limitations upon other properties under identical district classification. The special and unusual circumstances described previously is sufficient to distinguish this request from others which may be submitted in the future.
4. That the granting of the variance will not be inconsistent with the general purpose of the Multiple Family Residential district or the intent and purpose of the Zoning Code. Furthermore, the granting of the variance will not militate against the General Plan or be materially detrimental to the public welfare or injurious to property rights. As stated previously there is adequate space on the subject property for the proposed expansion. All applicable setback requirements will be complied with. In addition, the five additional parking stalls will be provided at a future date.

Therefore, the Planning Director hereby grants to the applicant a variance to allow an addition to the Lyman House Memorial Museum on a 31,246 square foot sized lot in lieu of the minimum building site area requirement of one (1) acre, and to waive the five (5) additional parking stalls required for the proposed addition, at Punahoa 2nd, South Hilo, Hawaii, TMK: 2-3-16:24, pursuant to the authority vested in him by the County Charter, subject to the following conditions:

1. That the petitioner or his authorized representative shall submit plans and receive Final Plan Approval within one (1) year from the effective date of approval of the Variance Permit.
2. That construction of the proposed addition shall commence within one (1) year from the date of receipt of Final Plan Approval and be completed within two (2) years thereafter.
3. That should the present tenants of the residence (the Chong's) vacate the premises, the owners will be required to remove the dwelling and provide a minimum of five (5)

see  
Amended  
1/30/81 : to  
2 years  
Final P.A.  
2/12/82

additional parking stalls on the subject property meeting with the approval of the Planning Director.

4. That all other applicable rules, regulations, and requirements be complied with.

Should any of the foregoing conditions not be met, the Variance Permit may be deemed null and void.

The effective date of this permit shall be from October 9, 1980.

Dated at Hilo, Hawaii, this 22nd day of December, 1980.



SIDNEY M. FUCE, Director  
Planning Department

APPROVED AS TO FORM AND LEGALITY:



Deputy Corporation Counsel  
County of Hawaii

Date: 18 Dec. 80

October 9, 1980

Mr. Alan Rowland  
Ossipoff, Snyder, Rowland,  
Goetz, Architects  
1210 Ward Avenue  
Honolulu, HI 96814

Dear Mr. Rowland:

Variance Application  
Minimum Lot Size Requirement for Museum  
and Parking Requirement  
Tax Map Key: 2-3-16:24

After review of your application and the information presented at the administrative public hearing on September 18, 1980, the Planning Director is hereby certifying the approval of the variance to allow an addition to the Lyman House Memorial Museum on a 31,246 square foot sized lot in lieu of the minimum building site area requirement of one (1) acre, and to waive the five (5) additional parking stalls required for the proposed addition.

Approval of this request is based on the following findings:

1. That there are special and unusual circumstances applying to the use of the subject property which do not generally apply to surrounding property or improvements in the same district. The use of the subject property, as a museum has been established for many years. The proposed addition is necessary to accommodate resource material which requires air conditioned, dehumidified space. The present structures on the property cannot handle the increasing volume of resource material which are being donated to the museum.

The proposed addition is not anticipated to increase the number of visitors which come to the museum. Two of the three floors in the proposed addition will be used as storage space. One floor will be used for museum exhibits, but this will just be an expansion of what is already available. The parking requirement has been established to ensure that adequate parking is available to accommodate

the uses being proposed for any structure. In this particular situation the proposed addition will not increase the demand for parking as no additional employees will be hired as a result of the addition and no increase in the number of visitors is anticipated.

2. That should the subject zoning code requirements be rigidly imposed the above-described special and unusual circumstances exist to a degree which interferes with the best use of the subject property. There is adequate space on the subject property for the proposed addition. If the variance request is denied, the museum would not be able to accept any more gifts of historic resource material unless a suitable storage area is found on another parcel. Even if a suitable off-site storage building is found the spatial separation would cause unnecessary hardship for the operation of the museum.

Although there is space on the subject property to provide the five additional parking stalls required, this could not be done without removing an existing structure. The structure in question serves as a residence for a blind couple who have lived there for ten years. The removal of the dwelling and the eviction of the blind couple would cause an unnecessary hardship since the proposed addition will not increase the demand for parking. Furthermore, as a condition of approval, the owners will be required to provide five additional parking stalls when the blind couple (the Chong's) vacate the residence on the property.

3. That the granting of the variance will not constitute a grant of personal or special privilege inconsistent with the limitations upon other properties under identical district classification. The special and unusual circumstances described previously is sufficient to distinguish this request from others which may be submitted in the future.
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Mr. Alan Rowland  
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October 9, 1980

The conditions of approval are as follows:

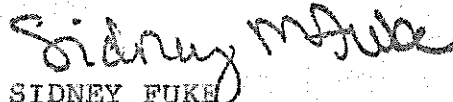
1. That the petitioner or his authorized representative shall submit plans and receive Final Plan Approval within one (1) year from the effective date of approval of the Variance Permit.
2. That construction of the proposed addition shall commence within one (1) year from the date of receipt of Final Plan Approval and be completed within two (2) years thereafter.
3. That should the present tenants of the residence (the Chong's) vacate the premises, the owners will be required to remove the dwelling and provide a minimum of five (5) additional parking stalls on the subject property meeting with the approval of the Planning Director.
4. That all other applicable rules, regulations, and requirements be complied with.

Should any of the foregoing conditions not be met, the Variance Permit may be deemed null and void.

Please be informed that the official Variance Permit will be forthcoming under separate cover.

Should you have any questions in the meantime, please feel free to contact us.

Sincerely,

  
SIDNEY FUKU  
Director

BN:lkt

cc: Lyman House Memorial Museum  
Plan Approval Section  
Planning Commission